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LETTER DATED 14 NOVEMBER 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As I informed the members of the Security Council at the conclusion of yesterday's meeting, I had decided to address a letter to President Saddam Hussein. A copy of that letter is attached.

When transmitting my letter through the Permanent Representative of Iraq to the United Nations, I stressed the urgency of my appeal, while reiterating my strong hope that Iraq would immediately rescind its decisions of 5 August and 31 October and resume full cooperation with UNSCOM and the IAEA.

I am glad to inform the Council that this morning I received a positive response to my appeal from Deputy Prime Minister Tariq Aziz. I attach an unofficial translation of this response which I hope the members of the Council will have an opportunity to study before this afternoon's meeting.

I should appreciate it if you would share this letter and its attachments with the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex I

Letter dated 13 November 1998 from the Secretary-General addressed to the President of the Republic of Iraq

As you may know already, I interrupted an official visit to North Africa yesterday and returned to New York in view of the worsening crisis with regard to Iraq. This afternoon and evening, I met with the members of the Security Council for four hours in order to review the situation. I can report to you that without exception, all the members of the Security Council expressed preference for a diplomatic solution of the crisis. As you are aware, I have made continuous efforts myself over the past three months to bring about such a solution.

The Security Council also unanimously endorsed the press statement I issued in Marrakech on 11 November in which I addressed a personal appeal to you, Mr. President, to take the necessary steps for a diplomatic solution to become possible. For ease of reference, I am reproducing below the text of this press statement.

> "I am saddened and burdened by the Iraqi decision of 5 August and 31 October not to cooperate with UNSCOM.
>
> I strongly urge President Saddam Hussein and the Iraqi Government to rescind its decision and resume immediate cooperation with UNSCOM and IAEA inspectors.
>
> Iraq has maintained for a long time that it wants to see light at the end of the tunnel. I also want to see the lifting of sanctions, so that Iraq can regain its place among the community of nations. As I have said repeatedly, the only way to achieve this is for Iraq to fully cooperate with UN Security Council. The Security Council had agreed a way forward on a comprehensive review. I firmly believe that this offers Iraq genuine opportunity. The comprehensive review will map out the remaining steps, provided Iraq cooperates, thus allowing them to see light at the end of the tunnel.
>
> The Iraqi leadership's decision not to cooperate with UNSCOM at a time when the Council was undertaking these efforts came as a surprise to me and, I suspect, to all Council members.
>
> I, therefore, appeal once again to President Saddam Hussein and the Iraqi leadership to take this opportunity to resume cooperation with UNSCOM and the IAEA. This would be good for the Iraqi people, for the region and for the world."

The Security Council remains actively seized of this matter. I should, therefore, be grateful for an early response to my appeal.

(Signed) Kofi A. ANNAN

Annex II

UNOFFICIAL TRANSLATION

H. E. Mr. Kofi A. Annan
The Secretary General of
The United Nations
New York

Excellency

Your letter dated 13/11/1998 addressed to President Saddam Hussein was presented to a joint meeting of the Revolutionary Command Council and the National Command of the Arab Ba'ath Socialist Party presided over by His Excellency the President. I was entrusted with the task of conveying to you the following:

1. **The goal sought by Iraq from its decisions of 5 August and 31 October was not to sever the relationship with UNSCOM and the IAEA and to cease the implementation of its obligations under section C of SCR 687. The objective of Iraq is to end the suffering of its embargoed people and to see the implementation of paragraph 22 of SCR 687 as a first step for lifting the other sanctions.**

2. **Due to its trust in you and your good faith, the Government of Iraq has dealt with your initiative regarding the comprehensive review. But unfortunately, the deliberations of the Council on the procedures for carrying out the review did not result in a clear picture which ensures fairness and objectivity in reaching the implementation of paragraph (22) of resolution 687 , which represents the declared objective of the comprehensive review according to your proposal. It is well known that the main reason for that was the American position, which does not represents the prevailing opinion of the Council. That position, contrary to your initiative, objected continuously to the presentation of any clarity in regard to the objective of the comprehensive review.**
3. **Despite the assurances that we have received from you and from many members of the Council that supported the main objective of the comprehensive review, and despite the confidence we have in you and in the majority of the Council members and our belief in your good faith and sincerity, those assurances were not satisfactory because they did not meet the basics from our point view.**

On the basis of what was stated in your letter, and in appreciation of the content of the letter of President Boris Yeltsin the President of the Russian Federation and Mr. Yevginy Brymakov the Prime Minister of the Russian Federation, and the positive positions expressed and conveyed to us by China, Frnace, Brazil and other States, and in order to give a further chance to achieve justice by lifting sanctions commencing with the implementation of paragraph (22) of resolution 687(1991), the Leadership of Iraq decided to resume working with the Special Commission and the IAEA and to allow them to perform their normal duties in accordance with the relevant resolutions of the Security Council and on the basis of the principles which were agreed upon in the Memorandum of Understanding signed with you on 23 February 1998.

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We offer this chance not out of fear of the aggressive American campaign and the threat to commit a new aggression against Iraq, but as an expression of our feeling of responsibility, and in response to your appeal and those of our friends. We affirm that the people of Iraq would not relinquish their legitimate right in having the inequitous embargo lifted and to live normally like other nations of the world. We will be looking forward to seeing the outcome of your efforts and the review.

Excellency

We rightly believe that if the comprehensive review were not to be a mere formality and to be free from the influences of the tendentious purposes, the adoption of the points we conveyed yesterday , 13/11/1998, to the Ambassadors of Russia, France and China, a copy of which I enclose herewith, will render the review serious, fair and fruitful.

We expect that you will continue with your efforts to to lay down the bases and the correct procedures for the review and so as to commence with as soon as possible.

Please accept, Excellency, the assurances of my highest consideration.

(signed)
Tariq Aziz
Baghdad, 14 November 1998

First, the goal sought by Iraq from its decisions of 5 August and 31 October was not to sever the relationship with UNSCOM and the IAEA and to cease the implementation of its obligations under section C of SCR's 687 and 715.

Second, the objective of Iraq is to end the suffering of its embargoed people and to see the implementation of paragraph (22) of SCR 687 as a first step for lifting the other sanctions.

Third, Iraq expressed its readiness to engage in the comprehensive review which had been proposed by the Secretary General. But, as a result of American pressure, the results brought about by the consultations of the Council do not ensure an honest and objective review with the aim of implementing paragraph (22).

Fourth, the position of Iraq on the comprehensive review is:

1- The comprehensive review be carried out within a very short time,(seven days for example), after the resumption of UNSCOM and the IAEA of their normal duties. This is to be without conditions, (like those mentioned formerly in regard to what is called the confirmation of Iraq's cooperation).
2- The comprehensive review fundamentally concentrates on paragraph (3) of the concept paper of the Secretary General of 5 October (the three Iraqi questions of 3 August) and emphasizes the question of evidence.
3- The Council be ready to implement paragraph (22) if the fulfillment of the requirements of section C of SCR 687 is established.
4- If the Council sees, through an objective study, that there are matters which need to be done, a short period be determined for their completion. Until that completion is reached, the Council implements

measures for lifting or reducing sanctions in proportion to what has been fulfilled of the requirements of paragraph (22). Thereafter, the commencement with the implementation of paragraph (22) immediately upon the completion of the required work.

5- The Council assures the legal interpretation of section C of SCR 687 and that none of its members should impose additional conditions or restrictions on the implementation of paragraph (22).

Fifth, the second phase of the review commences after completing the conclusions of the first phase.

Sixth, the second phase of the review only encompasses the obligations determined by clear provisions of the resolutions and no matters be raised contrary to the legal interpretation of the resolutions.

Seventh, the members of the Council and specially the permanent members abide by international law and the relevant resolutions of the Council in respect of all matters pertaining to Iraq.

Eighth, the question of Butler and the structure of UNSCOM and its practices are important matters. The Council is to consider them seriously in order to ensure a good relationship in the future. We hope that this will be done as soon as possible.

Ninth, it is necessary that these assurances be communicated directly to the leadership in Baghdad either by the Secretary General or by a delegation from the Council.

13 Nov. 1998